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6 Attorneys for Plaintiff  
SANDFORCE, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 | SANDFORCE, INC.

CASE NO.: 3:13-cv-03422-JSW

**Plaintiff,**

v.

14 TWIN CITY FIRE INSURANCE  
15 COMPANY; HARTFORD FINANCIAL  
16 SERVICES GROUP, INC.; THE  
HARTFORD – business entity, form  
unknown; and DOES 1 through 50,  
inclusive.

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING DEADLINES TO  
RESPOND TO TWIN CITY FIRE  
INSURANCE COMPANY AND THE  
HARTFORD FINANCIAL SERVICES  
GROUP, INC.'S MOTION TO DISMISS  
PLAINTIFF SANDFORCE'S CAUSE OF  
ACTION FOR BREACH OF THE  
IMPLIED COVENANT OF GOOD FAITH  
AND FAIR DEALING**

## Defendants.

Plaintiff and Defendants, through their undersigned counsel, hereby stipulate to the following:

1. Defendants Twin City Fire Insurance Company and The Hartford Financial Services Group, Inc. filed a motion to dismiss Plaintiff SandForce's cause of action for breach of the implied covenant of good faith and fair dealing, to be heard by the Court on November 15, 2013.

2. Plaintiff's response to the motion to dismiss is currently due on September 13, 2013. Defendants' reply is due on September 20, 2013. The parties hereby stipulate that Plaintiff shall have a three-week extension of time to file its response to the motion to dismiss.

3. The extension of time is necessary for the following reasons:

(a) The parties are entertaining confidential settlement discussions and require additional time to consider each other's position and arguments; and

(b) Counsel for Plaintiff has a scheduling conflict, with an opening brief due to be filed in the California Court of Appeal, Sixth Appellate District, on the same date its opposition to the motion to dismiss is due (i.e., September 13, 2013). (See Declaration of Pamela A. Bower, ¶ 2.)

4. No previous time modifications, whether by stipulation or Court order, have been requested by either party in the above-entitled case. (See Declaration of Pamela A. Bower, ¶ 3.)

5. The extension of time requested by the parties would have no effect on the Court's schedule for the case, as the hearing date on the motion to dismiss is currently scheduled for November 15, 2013. (See Declaration of Pamela A. Bower, ¶ 4.)

6. Based on the foregoing, and good cause appearing therefor, the parties hereby stipulate as follows:

(a) The time for filing and serving Plaintiff's response to Defendants' motion to dismiss shall be extended through and including **October 4, 2013**; and

(b) The time for filing and serving Defendants' reply to Plaintiff's opposition to Defendants' motion to dismiss shall be extended through and including **October 11, 2013**.

IT IS SO STIPULATED.

DATED: September 11, 2013

## ADLESON, HESS & KELLY, APC

*/s/ Pamela A. Bower*

By: \_\_\_\_\_  
Randy M. Hess  
Pamela A. Bower  
Attorneys for Plaintiff  
SandForce, Inc.

1 DATED: September 11, 2013

WILSON, ELSER, MOSKOWITZ, EDELMAN &  
2 DICKER LLP

3 */s/ Michael K. Brisbin*

4 By: \_\_\_\_\_  
5 Michael K. Brisbin  
6 Attorneys for Defendants  
7 Twin City Fire Insurance Company and  
8 The Hartford Financial Services Group, Inc.

9 MAYNARD, COOPER & GALE, P.C.

10 Michael D. Mulvaney (*pro hac* intended)  
11 Christopher C. Frost (*pro hac* intended)  
12 Tara B. Sprague (*pro hac* intended)  
13 Attorneys for Defendants  
14 Twin City Fire Insurance Company and  
15 The Hartford Financial Services Group, Inc.

16 **ORDER**

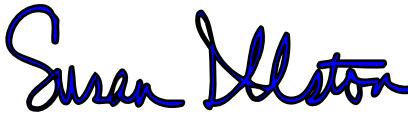
17 Pursuant to the parties' stipulation and supporting declaration, and good cause  
18 appearing therefor, it is hereby ORDERED that the dates to respond/reply to Defendants'  
19 motion to dismiss are hereby extended as follows:

20 (1) The time for filing and serving Plaintiff's response to Defendants' motion  
21 to dismiss shall be extended to **October 4, 2013**; and

22 (2) The time for filing and serving Defendants' reply to Plaintiff's opposition  
23 to Defendants' motion to dismiss shall be extended to **October 11, 2013**.

24 IT IS SO ORDERED.

25 DATED: September 13, 2013

26 By:  for  
27 Honorable Jeffrey S. White  
28 Judge, United States District Court

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16 SERVICES GROUP, INC.; THE  
HARTFORD – business entity, form  
unknown; and DOES 1 through 50,  
inclusive.

## Defendants.

**DECLARATION OF PAMELA A. BOWER  
IN SUPPORT OF STIPULATION  
EXTENDING DEADLINES TO RESPOND  
TO TWIN CITY FIRE INSURANCE  
COMPANY AND THE HARTFORD  
FINANCIAL SERVICES GROUP, INC.'S  
MOTION TO DISMISS PLAINTIFF  
SANDFORCE'S CAUSE OF ACTION  
FOR BREACH OF THE IMPLIED  
COVENANT OF GOOD FAITH AND  
FAIR DEALING**

I, Pamela A. Bower, hereby declare as follows:

20       1. I am an attorney at law duly licensed to practice before all state and federal  
21 courts in California. I am employed by Adleson, Hess & Kelly APC, attorneys of record for  
22 SandForce, Inc. (“Plaintiff”). I have personal knowledge of the facts set forth herein, and if  
23 called to testify with respect thereto, could and would competently do so under oath. This  
24 declaration is made in support of the Stipulation and [Proposed] Order Extending Deadlines  
25 to Respond to Defendants’ Motion to Dismiss Action for Breach of the Implied Covenant of  
26 Good Faith and Fair Dealing.

27        2. As set forth in the accompanying Stipulation, the parties have agreed to  
28 extend the time to respond/reply to the motion to dismiss for the following reasons:

(a) The parties are entertaining confidential settlement discussions and require additional time to consider each other's position and arguments; and

(b) I have a scheduling conflict, with an opening brief due to be filed in the California Court of Appeal, Sixth Appellate District, on the same date the opposition to the instant motion to dismiss is due (i.e., September 13, 2013).

3. I am informed and believe the extension of time requested by the parties would have no effect on the Court's schedule for the case, as the hearing date for the motion to dismiss is currently scheduled for November 15, 2013.

4. The parties have agreed as follows:

(a) The time for filing and serving Plaintiff's response to Defendants' motion to dismiss shall be extended through and including **October 4, 2013**; and

(b) The time for filing and serving Defendants' reply to Plaintiff's opposition to Defendants' motion to dismiss shall be extended through and including **October 11, 2013**.

I declare under penalty of perjury that the foregoing is true and correct. Executed this  
11<sup>th</sup> day of September, 2013, at Campbell, California.

/s/ *Pamela A. Bower*

By: \_\_\_\_\_